

Application No.: 10/697,948

Docket No.: 200309856-2 US (1509-454)

REMARKS

The Office Action of November 23, 2005 has been carefully studied.

The title of the application has been amended to be more indicative of the invention. Withdrawal of the objection to the specification is respectfully requested.

The specification has been amended to add the cross reference of the German priority application, and to correct some minor errors.

Claims 1, 2, 11, 12, 13, 14, 16, 17, 20, 21, 22 and 23 have been amended to define Applicants' contribution to the art with greater particularity. The amended claims, based *inter alia* on paragraphs 0027, 0029, 0030, 0038, 00398 and 0040 of the application as filed, are patentable over the art applied in the November 23, 2005 Office Action, i.e., Federwisch, U.S. Patent 6,889,228 and Schutzman et al., U.S. Patent 6,505,216.

Claim 1, upon which claims 2-10 depend, requires a back-up system to be configurable to couple at least a sub-set of the buffer memories in a daisy-chain for sequential storage of the data in the daisy chain as data objects on one of the secondary storage devices.

In Federwisch, file servers 10-13 and 10-18 *inter alia*, referred to by Federwisch as filers, are connected in a cascaded relationship. Each of the file servers includes a memory 3 (e.g., a RAM and ROM), and a file system 5 that can include a redundant array of inexpensive memory disks (RAID). However, there is no disclosure in either previously applied reference of the foregoing limitation of claim 1, or the similar limitation of claim 2, requiring sequential writing data from the at least the subset of the buffer memories to the one secondary storage device that is assigned to the at least one backup media agents.

Claims 3-10 depend on claim 1 and/or 2, and are allowable therewith.

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Independent claim 11, as amended, distinguishes over the applied references by requiring a plurality of buffer memories for sequentially coupling data stored in at least some of the buffer memories to one of plural backup storage devices, and a configuration file for defining a configuration of the buffer memories for providing at least one level of data mirroring in the buffer memories, and for enabling the mirrored data stored in the buffer memories and data that are not mirrored and are stored in the buffer memories to be coupled to the backup storage device. In neither Federwisch nor Schutzman is there a disclosure of sequential coupling of data stored in buffer memories to a backup storage device or a configuration file for enabling mirrored data stored in the buffer memories and data that are not mirrored and are stored in the buffer memories to be coupled to the backup storage device.

Claims 12 distinguishes over the applied art, *inter alia*, by requiring sequential copying of data objects from a first sub-set of secondary storage devices to a second set of secondary storage devices, wherein data stored in plural buffer memories is coupled to a plurality of the secondary storage devices. The broad disclosure in Schutzman at column 24, lines 1-20, referred to in the Office Actions fails to satisfy the "sequential" feature of claim 12. In addition, the Office Action fails to indicate the structure of either reference that includes the original claim 12 requirement for a configuration file for defining a daisy-chain configuration of buffer memories for copying data objects from a first sub-set of secondary storage devices to a second sub-set of secondary storage devices. The Examiner's analysis of Federwisch relies on file systems 5 to be the secondary storage devices. However, the Office Action does not explain how Federwisch discloses a configuration file for defining a daisy-chain configuration of buffer memories for copying data objects from a first sub-set of secondary storage devices to a second sub-set of secondary storage devices. The rejection of claim 12 is also improper because no rationale is

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presented as to why and/or how one of ordinary skill in the art would have modified Federwisch to include the feature at column 24, lines 1-20 of Schutzman.

Amended independent claim 13 distinguishes over Federwisch and Schutzman by reciting sequential writing of data from a plurality of the daisy-chained buffer memories to one of the secondary storage devices.

Amended claim 14, upon which claims 15-19 depend, distinguishes over the applied Federwisch and Schutzman references by specifying sequential storing or copying of data objects from at least some of the buffer memories to one of the secondary storage devices.

Amended independent claim 20, upon which claims 21-23 depend, distinguishes over the applied reference by requiring sequentially storing the data objects on one of the secondary storage devices by sequentially reading the data object from the buffer memories to the one secondary storage device.

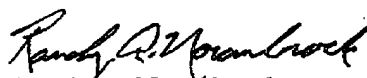
In view of the foregoing amendments and remarks, allowance is in order.

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To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 08-2025, and please credit any excess fees to such deposit account.

Respectfully submitted,

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